



NOVA PROGRAM:

- **NONHIGHWAY ROAD**
- **NONMOTORIZED**
- **OFF-ROAD VEHICLE**

Policies and Project Selection

14

SEPTEMBER 13, 2004

IAC's Mission



...Is to foster the protection and enhancement of Washington's natural and outdoor recreation resources for current and future generations. We do this through funding, technical assistance, research and policy development, coordination, advocacy, and encouraging long-term stewardship. Our service reflects a commitment to public participation, openness, fairness, and efficiency.

NOVA PROGRAM PROJECTS

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SECTION 1 — PROGRAM OVERVIEW

ABOUT IAC

IAC (Interagency Committee for Outdoor Recreation) was created in 1964 by a vote of the citizens of the state of Washington. This Executive branch state agency consists of five citizen members appointed by the Governor, and the Directors (or designees) of the Department of Fish and Wildlife, the Department of Natural Resources, and the State Parks and Recreation Commission. IAC's staff consists of a Director appointed by the Governor and others engaged in administrative, planning, and project functions. IAC is a planning and grants agency and does not operate facilities. Its grant programs include funding for general parks and recreation, boating, trails, water access, habitat conservation, off-road vehicles, and shooting/archery range purposes.

INFORMATION SOURCES

IAC encourages anyone interested in its programs to contact the board or its staff at:

Natural Resources Building, Floor 2 East	Phone (360) 902-3000
1111 Washington Street SE	FAX (360) 902-3026
P.O. Box 40917	TDD (360) 902-1996
Olympia, WA 98504-0917	E-mail: info@iac.wa.gov
	http://www.iac.wa.gov

Workshops

IAC conducts workshops annually to provide information about its funding programs. These workshops are typically held early each year in several state locations. Schedules are finalized in early January. Check our website or call for information about dates and locations.

Facility managers certify all IAC meeting sites as barrier free according to the federal *Americans With Disabilities Act* or WAC 51.30.1100 standards. To request other disability accommodations contact IAC at least 14 days before the event.

Related Publications

Related IAC program manuals include:

- ▶ *Planning Policies* - #2
- ▶ *Acquiring Land* - #3
- ▶ *Development Projects: Policies* - #4
- ▶ *Application NOVA: Nonhighway-Off-Road Vehicle Activities Program* - #5n
- ▶ *Funded Projects: Policies and the Project Agreement* - #7
- ▶ *Reimbursements: IAC Grant Programs* - #8
- ▶ *NOVA Program: Education/Enforcement* - #13
- ▶ *NOVA Program: Nonhighway Road Projects Evaluation Questions* - #14a
- ▶ *NOVA Program: Nonmotorized Projects Evaluation Questions* - #14b
- ▶ *NOVA Program: ORV Projects Evaluation Questions* - #14c.

In addition, WAC 286-04, 286-06, 286-13, and 286-26 establish administrative rules for the NOVA (Nonhighway and Off-Road Vehicle Activities) Program.

Contact IAC, or visit our web site (above), to download copies of these free publications. Each can be made available in an alternative format.

**MANUAL SCOPE &
PROGRAM
BACKGROUND**

This manual provides information on three of the NOVA Program's four funding categories:^[1] Nonhighway Road (NHR), Nonmotorized (NM), and Off-Road Vehicle (ORV). These categories support such activities as:

- ▶ All-terrain vehicle riding
- ▶ Cross-country skiing
- ▶ Fishing
- ▶ Four-wheel drive vehicle riding
- ▶ Hiking
- ▶ Horseback riding
- ▶ Hunting
- ▶ Mountain bicycling
- ▶ Motorcycling off-road
- ▶ Sightseeing.

Acquisition, development, maintenance, and planning projects are discussed. This manual will provide the reader with a basic understanding of:

- ▶ Program requirements
- ▶ Eligibility
- ▶ Project review and evaluation criteria.

In 1972, the legislature set aside one percent of the state's gasoline fuel excise tax to provide funding for the NOVA Program (Chapter 46.09 RCW – *Revised Code of Washington*, laws enacted by the state legislature). This legislation was amended several times, notably in 1986, in part to provide funding for nonmotorized trails activities. Another major revision took place in 2004 when amendments included:

- ▶ A revised set of definitions
- ▶ New fund distributions
- ▶ A change in the environmental review language
- ▶ An updated advisory committee
- ▶ Creation of a new funding category (page 7, NHR)
- ▶ Broadening of the education-enforcement (E&E) category to include NHR and NM activities.

Apart from gasoline fuel taxes, a second source of funding for this program is ORV registration fees. (RCW 46.09.110)

NOVA GRANTS

NOVA grants are intended to allow various user groups and agencies to provide quality opportunities for recreationists – opportunities that satisfy user needs, are environmentally responsible, and minimize conflict between user groups.

To assist eligible agencies in meeting program goals, IAC offers grants on a regular basis. Grant application forms and instructions may be found in IAC Manual 5n, *Application NOVA: Nonhighway and Off-Road Vehicle Activities Program*.

NOVA PLAN

The *2002-2008 NOVA Plan* establishes policies and priorities for the NOVA grant-in-aid program. Applicants are encouraged to review the *Plan* to become familiar with these policies and priorities. Copies of the *Plan* are available from IAC at www.iac.wa.gov.

Policies in Common. The following policies apply to NM, NHR^[2], and ORV capital and maintenance grants. The evaluation questions found later in

^[1] See IAC Manual 13 for information on NOVA Education-Enforcement Projects.

this manual endeavor to select proposals that foster these policies. IAC shall:

PMO. Encourage a primary management objective designation (appropriate to either NHR, NM, or ORV) on trails receiving NOVA funding.

Population centers. Encourage projects convenient to population centers.

Matches. Encourage non-governmental contributions.

Volunteers. Encourage an increased level of volunteer participation in projects.

Maintenance. Encourage projects that have design considerations that minimize the need for ongoing maintenance.

Trail design. When reconstructing ORV trails, encourage projects that correct environmental problems, retain trail difficulty and user experiences, and minimize user displacement.

Plans, etc. Require general plans and completion of applicant required processes before the IAC board funding meeting.

Environmental processes. Require completion of applicant required environmental processes before issuing a Project Agreement.

Leases. Require a lease period of at least 25 years for projects acquiring leases.

Distribution targets. Evaluate acquisition, development, M&O, and planning projects on a head-to-head basis. In each category (page 7), IAC's target is to distribute:

- ▶ 40% to M&O projects
- ▶ 40% to acquisition, development, and/or planning projects
- ▶ 20% based on the remaining highest ranked projects.

Project length. Fund M&O projects for up to two consecutive years.

M&O ceilings. The grant ceiling for individual M&O projects is:

- ▶ ORV = \$100,000/year with a 2 year (\$200,000) grant limit per each two year period. Also, only the three sport parks previously assisted by IAC (Thurston Co., City of Richland, Spokane Co.) will be considered for funding.
- ▶ NM & NHR = \$50,000/year with a 2 year (\$100,000) grant limit.

M&O applications. Require M&O applicants to provide project goal and objective information as part of the application process. Encourage applicants to provide demand and need information as a part of the evaluation process.

Proposals. Find appropriate sites through the initiative of land managers.

Setting. Encourage nonmotorized and nonhighway road projects that provide settings that are predominantly natural, as typically (but not necessarily) found in a "backcountry" environment.

PLANNING

Planning eligibility requirements must be met by applicants seeking funding

^[2] The 2002 NOVA Plan was adopted before passage of SHB 2489 (2004) which created the new NHR category. For this reason, the following text was updated to reflect possible future NHR related changes to the Plan.

REQUIREMENTS

for planning, land acquisition, and development projects. These requirements must be met at least three months before the NOVA program's IAC board funding meeting. For further information, consult Manual 2, *Planning Policies* and WAC 286-26-080.

Plans accepted by IAC establish eligibility for up to six years. A revised plan may be used in subsequent years to re-establish eligibility. It is the applicant's responsibility to ensure that plans and documents are current.

In summary, and at minimum, the plan must include:

1. *Goals and objectives.* Goals define desired outcomes in broad, long-range statements of intent. Objectives, on the other hand, are measurable and describe specific actions aimed at achieving each goal. Objectives help a reader know when a goal has been attained.

2. *Description of current conditions.* Include a description of agency authorities, the physical setting, and sphere of influence or service area. Include recreational use information and an evaluation of existing opportunities, including opportunities that are managed by agencies other than the applicant.

3. *Demand and need.* Include an explanation of why actions are necessary and establishment of priorities for these actions.

4. *Public involvement.* Include a description of how the planning process gave the public ample opportunity to be involved in development of the plan.

5. *Capital improvement program.* Include a current capital improvement program that covers a period of at least six years.

6. *Official approval.* Provide evidence that the document has been approved by the authority most appropriate to the plan's scope. A dated and adopted resolution, ordinance, or other document must accompany the plan to show official approval. For example, a city or countywide plan must be approved at the council or commission level. Plans with a different scope will be approved by department heads, district rangers, regional managers/supervisors, etc., as determined by the applicant.

An applicant seeking a grant for developing a plan must also first establish planning eligibility. This may be done in one of two ways: The *first* is to submit a plan(s) or other document(s) that establishes the need for further plans or studies. The *second* way works well when the intent is to do a feasibility study or other planning application not adequately supported in another document. In such cases, the applicant may complete the six requirements noted above (goals, objectives, description of conditions, etc.) to describe:

- a. The area which is to be studied or needs planning.
- b. Recreational use patterns in the affected area, including use conflicts or unacceptable user behavior.
- c. Public demand.
- d. Records of public involvement such as mailings, media presentations, public meetings, workshops, or other forums for public comment.
- e. The authority for accomplishing this planning.

FUNDING CATEGORIES NOVA Program grant funds are available in four categories:

- Nonhighway Road (NHR)
- Nonmotorized (NM)
- Off-Road Vehicle (ORV)
- Education-Enforcement (E&E – discussed in IAC Manual 13).

NHR ***Nonhighway Road*** category projects are intended to serve recreationists who, for the most part, recreate on or adjacent to nonhighway roads (page 23). This includes, but is not limited to:

- Boating (nonmotorized – canoe, kayak, etc.)
- Camping
- Driving for pleasure, sightseeing, viewing wildlife, etc.
- Fishing
- Gathering (berries, mushrooms, wood, etc.)
- Hunting
- Picnicking.

NM ***Nonmotorized*** category projects are intended to serve recreationists who access trail related activities via a nonhighway road (page 23). This includes, but is not limited to:

- Cross-country skiing
- Hiking
- Horse back riding
- Mountain bicycling
- Snowshoeing.

ORV ***Off-Road Vehicle*** category projects are intended to serve recreationists who access trail related activities via a nonhighway road (page 23) or consume fuel in ORVs for recreational purposes. This includes, but is not limited to:

- All-Terrain Vehicle riding
- Four-wheel driving
- Motorcycling.

ALLOCATION OF FUNDS To comply with chapter 46.09.170 RCW, each year, the State Treasurer refunds one percent of motor vehicle fuel tax revenues which are then credited to NOVA programs as follows (Figure 1):

- Interagency Committee for Outdoor Recreation (58.5%)
- Department of Natural Resources (36%)
- Washington Department of Fish and Wildlife (3.5%)
- State Parks (2%).

The funds credited to IAC are used in the NOVA grant program and are divided as follows:

- Up to 30% for *NOVA E&E Programs*
- At least 70% for *NOVA Recreation Programs*.
 - NHR recreation (not less than 30% of the 70%)
 - NM recreation (not less than 30% of the 70%)

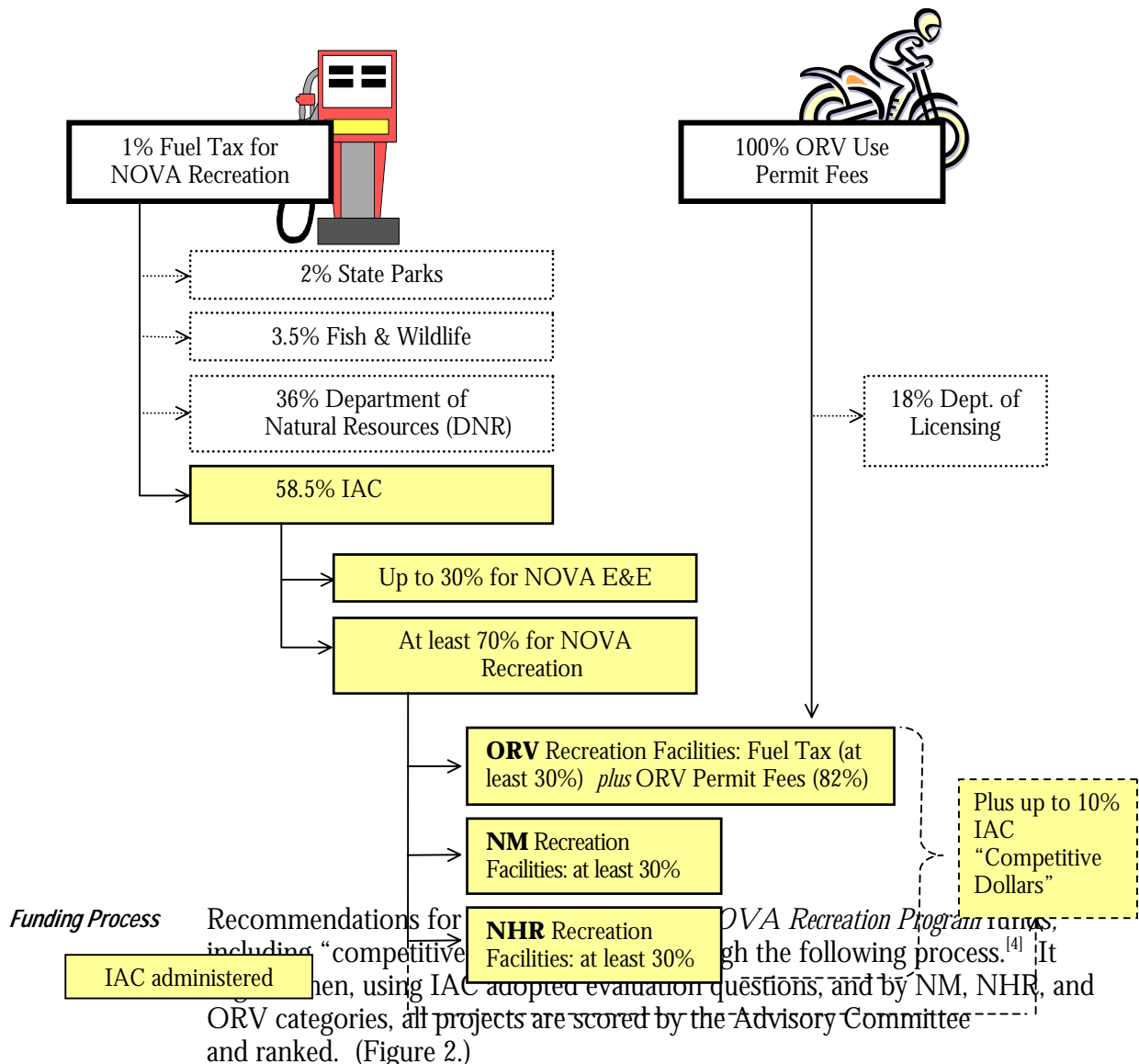
- ▷ ORV recreation (not less than 30% of the 70%)
plus ORV registration fees^[3] [RCW 46.09.110]).

IAC may waive any of the “not less than 30%” percentages if:

- ▷ There are insufficient requests for funds *or*
- ▷ In IAC’s view, a project(s) has scored too low in evaluations.

A subset of the above *NOVA Recreation Program* dollars are the “competitive dollars”, which are funds that remain after distribution of the *NOVA Recreation Program* dollars.

Figure 1. Allocation of NOVA Funds

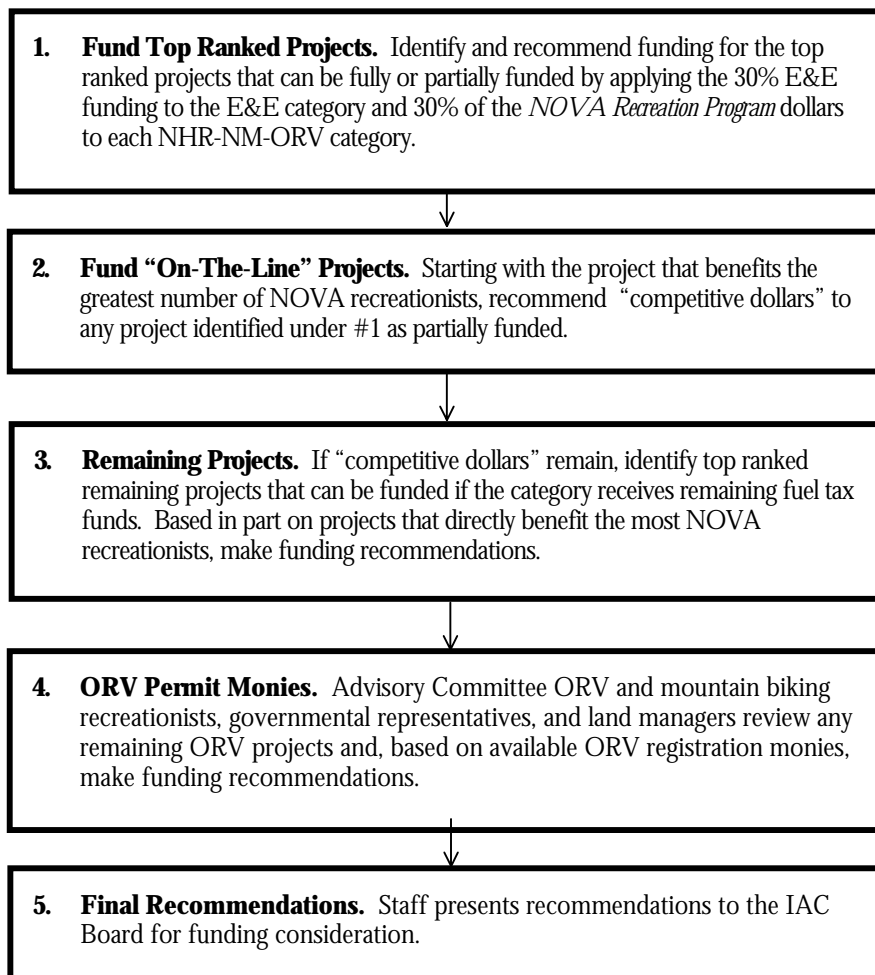


^[3] IAC’s intent is that ORV registration fee monies shall only be allocated to ORV projects.

^[4] In a parallel process, the 30% E&E funding is applied to projects in the E&E category.

1. In ranked order, staff applies 30% of the *70% NOVA Recreation Program* dollars to each category to identify the projects that could be fully and partially funded. The projects that can be fully funded are recommended for funding.
2. It is then recommended that “competitive dollars” be used to supplement any project recommended for partial funding under #1, above. These projects are recommended for full funding. Priority is given, in descending order, to projects that directly benefit the most NOVA recreationists, using information provided in the application.
3. If “competitive dollars” remain:
 - *Staff first* identifies the top ranked remaining projects in each of the three categories that could be fully or partially funded if the individual category were to receive *all* remaining funds.
 - From these three categories the *Advisory Committee* then selects the final projects for funding recommendations. In this selection, the Committee’s priority is to recommend projects that directly benefit the most NOVA recreationists, using information provided in the application.
4. The Advisory Committee’s ORV and mountain biking recreationists, governmental representatives and land managers then make recommendations regarding the expenditure of funds received under RCW 46.09.110 (ORV registration fee/use permit monies). [RCW 46.09.280(3)]

Any funds that remain after completion of the above process (items 1-4) are added to the next funding cycle’s distribution in the same category as originally allocated.

Figure 2. Summary Process for Developing NOVA Funding Recommendations

SECTION 2 – ELIGIBILITY

ELIGIBLE APPLICANTS Under RCW 46.09.240, the following are eligible to participate in the NOVA Program:

- Counties
- Municipalities
- Nonprofit Organizations (see note below)
- Federal Agencies
- Native American Tribes
- State Agencies.

Under certain conditions, IAC may also grant funds to a nonprofit *ORV* (Off-Road Vehicle) organization project applicant. A nonprofit ORV organization may seek grant funds for an eligible project or activity that benefits ORV recreation on lands once publicly owned that comes into private ownership in a federally approved land exchange completed between January 1, 1998 and January 1, 2005. [RCW 46.09.240(1)]

Certain municipal corporations, such as port districts, park and recreation districts, public utility districts, etc., may be eligible if they can demonstrate legal authorization to develop and maintain recreational facilities.

PROJECT ELIGIBILITY CRITERIA *Nonhighway road recreation facilities* and *nonmotorized recreational facilities* must be “adjacent to, or accessed by, a nonhighway road” (NHR). [RCW 46.09.020(8) and (11)]

An “NHR means...

- “any road owned or managed by a public agency
- or...
- “any private road for which the owner has granted an easement for public use...

“for which appropriations from the motor vehicle fund were not used for...

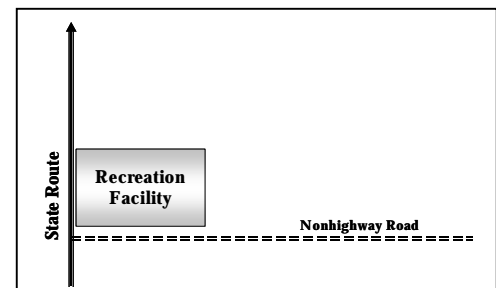
“(a) original construction or reconstruction in the last 25 years; or

“(b) maintenance in the last four years”. [outline format added; RCW 46.09.020(7)].

Though the following examples do not illustrate the full range of eligible projects, they do show how these criteria are applied to typical NOVA projects (development or maintenance of a campground, picnic area, trail, trailhead, etc.).

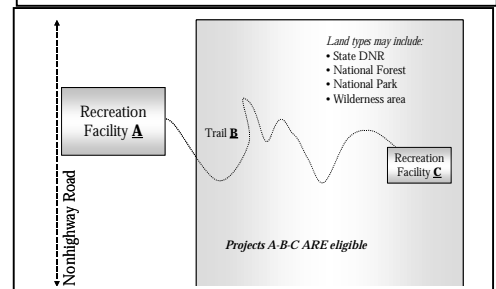
Example 1

▸ The proposal is to fund a recreation facility that is adjacent to an NHR. It is also adjacent to a State Route. *The project is eligible.*



Example 2

▸ The proposal is to fund “Recreation Facilities” “A-B-C”, only one of which is adjacent to an NHR. The Facilities may be on a variety of land types, including a wilderness, national park, or on USDA Forest Service land. *A-B-C are all eligible.*



ELIGIBLE PROJECTS The following sections list projects and costs eligible for funding. Projects assisted with NOVA funds are generally divided into four categories:

1. Planning Activities
2. Land Acquisition Projects
3. Development Projects
4. Maintenance and Operation Projects.

Eligible Planning Projects: includes all phases of planning and may include one or all of the following elements:

1. Comprehensive plans
2. Construction drawings
3. Environmental assessments
4. Feasibility and preconstruction studies
5. Route surveys and reconnaissance
6. Site master plans

Eligible Land Acquisition: includes purchase in fee title, or lesser interests such as leases and easements. Policies for land acquisition projects are covered in IAC Manual #3 – *Acquiring Land*. NOVA funds may not be used for land acquisition by federal agencies. IAC requires a lease period of at least 25 years for projects acquiring leases.

Eligible Development Projects: Policies for development projects are covered in Manual 4, *Development Projects: Policies*. Eligible activities include:

1. Access roads, parking, trails, and trail heads.
2. Sanitary facilities including sewer systems and other related utilities that meet applicable local and state health requirements.
3. Route and interpretive signs and informational bulletin boards.
4. Picnic and camping areas.
5. Wildlife viewing facilities.
6. Nonmotorized boating access facilities.
7. Utilities, including water, electric, and phone service.
8. Extensive renovation or the redevelopment of existing improvements when–
 - They have deteriorated to the point where their usefulness and/or safety is impaired (although not because of inadequate maintenance) and/or
 - When the facility has become outmoded.
9. ORV sports park facilities including, but not limited to, motocross tracks, sand drag strips, four-wheel drive competitive and play facilities, spectator facilities, concession buildings, and park administration and maintenance facilities.
10. Employee residences (typically related to an ORV sports park facility). The construction of residences must be for employees directly involved in the operation and maintenance of a NOVA assisted project provided that:
 - The residence will help assure increased public service and protection of park facilities.
 - The employee assigned to or using the residence must normally be

available in the park on a 24-hour basis during the season the park is open. The employee must be assigned to ORV facilities and activities at least 75 percent of his or her time.

- The park residence is one component of a comprehensive park development.
- The residence or improvements must be permanent at this site.

Eligible Maintenance and Operation Projects (M&O): M&O of the following facility types is eligible for funding:

1. Open ORV riding areas.
2. Trails.
3. Trailheads, day-use areas, and campgrounds.
4. ORV sports parks and ORV intensive use areas.
5. Support structures and facilities.
6. Snow removal and trail grooming for non-snowmobile recreation.
7. Water access sites that serve primarily nonmotorized activities.

M&O of facilities open to both motorized and nonmotorized use is also eligible, provided that the primary management objective of the facility is clearly ^[5] identified as nonhighway road, nonmotorized, or motorized ORV recreation.

INELIGIBLE PROJECTS By category, projects ineligible for NOVA funding include:

Ineligible Planning Projects

1. Projects containing cost elements designed to produce planning information on items ineligible for NOVA acquisition or development funding.
2. Plans unlikely to lead to future NOVA facilities that meet IAC funding eligibility criteria.
3. Plans for private facilities and/or for facilities on which the general public use would be prohibited, except non-public administrative areas such as employee residences, garages, workshops, etc.

Ineligible Acquisition and Development Projects

1. Acquisition of lands under existing ownership of the applicant.
2. Acquisition of land to be used for any activity not eligible for NOVA development funding.
3. Acquisition of lands with revenue producing potential where the cost of acquisition could be financed completely through revenue accruing to the project.
4. Acquisition of property interests for a period of less than 25 years.
5. Development of areas to be used primarily for semi-professional or professional activities on a commercial basis.
6. ORV: Development of commercial facilities such as "go-cart" tracks and amusement facilities, even when these elements are part of a larger ORV project.
7. Development on property to be acquired on a conditional sales contract unless

^[5] For example, in widely distributed publications/maps, on the agency website, and/or on-site signs.

the applicant holds the deed to the property.

8. Development on property acquired with conflicting reversionary clauses within the deeds, or with clauses that significantly affect public recreation use of the property.
9. Development on property on which IAC staff or the project applicant anticipates future unacceptable or immitigable impacts to the NOVA project as part of an ongoing land management program by the project applicant.

Ineligible Maintenance Projects

Maintenance of facilities not open and available to NOVA Program activities.

ELIGIBLE COSTS

The following identifies, by category, project costs *eligible* for reimbursement under the NOVA program.

Eligible Planning Costs (must be directly related to the planning activity)

- | | |
|--------------------------|----------------------------|
| 1. Communications | 5. Sales tax |
| 2. Permits | 6. Staff salaries/benefits |
| 3. Professional services | 7. Supplies (office, etc.) |
| 4. Rentals and Leases | 8. Transportation/travel. |

Eligible Acquisition/Development Costs

1. Land acquisition costs and certain incidental costs as outlined in Manual #3, *Acquiring Land*.
2. Architectural and engineering (information about reimbursement ceilings is in IAC policy Manuals 3 [*Acquiring Land*] and 4 [*Development Projects: Policies*]).
3. Buildings and structures (including administrative, maintenance, registration, residence, storage, well house).
4. Campgrounds (including electric, water, waste disposal, group camps).
5. Fencing and gates (including barrier rocks and bollards, horse corrals, highlines, hitching posts, loading ramps, water troughs).
6. Landscaping (including irrigation, trees, shrubs, etc.).
7. Lighting (including security, parking and roads, etc.).
8. ORV tracks (including hill climbs, motocross, four-wheel drive, etc.).
9. Park amenities and furniture (including coin operated phones, spectator seating for ORV events, water & drinking fountains, benches, flag poles, stoves, tables, etc.).
10. Parking (including curbs, oil/water separators, surfacing, loading ramps, wheel stops, etc.).
11. Permits.
12. Restrooms (including composting, flush, portable, showers, vault, etc.).
13. Roads [including guard rails, surfacing, striping, etc.—campground and access roads only; see RCW 46.09.170(d)].

14. Shelters (including interpretive, kiosks, picnic, etc.).
15. Signing (including boundary, interpretive, regulatory, directional, etc.).
16. Site preparation and demolition (including clearing, dump and recycle [asphalt, concrete, etc.] fees, erosion control, fill grading, etc.).
17. Trails (including retaining walls, switchbacks, bridges, culverts, puncheon, revegetation, trestle conversion, turnpike, waterbars, etc.).
18. Utilities (including catch basins, phone service, power, waste systems, etc.).
19. Viewpoints.
20. Water access (ramps, stairs, floats, gangways, etc.).

Eligible Maintenance and Operation Costs.

- | | |
|--------------------------|-----------------------|
| 1. Capital equipment | 2. Communications |
| 3. Insurance | 4. Rentals and leases |
| 5. Salaries and Benefits | 6. Sales tax. |
| 7. Signing | 8. Supplies |
| 9. Transportation/travel | 10. Utility Service. |

INELIGIBLE COSTS

The following are ineligible for reimbursement or for use as any portion of the sponsor's matching share:

1. Administrative costs such as supervision of field personnel, accounting, clerical and other operating overhead.
2. Purchase of capital equipment such as computers for planning or study projects.
3. Costs for elements not included in Project Agreement.
4. Costs in excess of those in IAC Project Agreement unless approved by IAC.
5. Ceremonial or entertainment expenses.
6. Charges in excess of the lowest acceptable bid when competitive bidding is required, unless IAC's Director agrees prior to the award of a contract to the higher costs.
7. Charges for deficits, debts, or overdrafts.
8. Interest expenses.
9. Costs incurred before execution of the Project Agreement (*excepted are eligible preliminary expenses such as most permitting and architectural/engineering costs*).
10. Costs of discounts not taken.
11. Damage judgments arising out of acquisition, construction, or equipping of a facility, whether determined by judicial decision, arbitration, or otherwise.
12. The unsubstantiated value of materials contributed without cost to the project applicant.
13. Fines and penalties.
14. Losses arising from uncollectible accounts and other claims, and related costs.
15. Charges incurred that are contrary to IAC policy, the applying agency, or rules, regulations, and laws applicable to either IAC or the applying agency.

16. Costs associated with securing NOVA grants, including preparation of IAC applications and travel expenses including per diem for attending related meetings (evaluation, funding, etc.).

SECTION 3 – OTHER POLICIES

PHASED PROJECTS

Phased, or staged, projects are subject to the following:

1. Approval of any single stage is limited to that stage, no endorsement or approval is given or implied toward future stages.
2. Applicants may submit only one stage per funding session.
3. Each stage must stand on its merits as a viable project.
4. Each stage must be submitted as a separate application.
5. Progress on earlier stages is considered by IAC when making decisions on current applications.

CONTROL & TENURE

The applicant must have title to or adequate control and tenure of the area to be developed. See IAC Manual 5n, *Application NOVA: Nonhighway and Off-Road Vehicle Activities Program*, for more information.

Applicants must list in the application all outstanding rights or interests held by others in the property to be developed. In the event that outstanding rights should later prove to be non-compatible with public outdoor recreation use of the site, the applicant assumes the responsibility for having to replace the facilities developed with NOVA funds with other facilities of at least equal value and reasonable equivalent usefulness and location at the sole cost of the applicant.

The following stipulations must be satisfied when development is proposed on leased property:

- ▶ The time remaining on the lease must be for a period of at least 25 years.
- ▶ The lease cannot be revocable at will by the lessor.
- ▶ The applicant must provide evidence that the proposed development and its intended uses are consistent with and legally permissible under the conditions of the lease.

NON-GOVERNMENT CONTRIBUTIONS & FUND ASSISTANCE LIMITS

Applicant matching shares are encouraged. To qualify, a match must be composed of element(s) that would otherwise be eligible for a grant in this program.

See Manual 5n, *Application NOVA: Nonhighway and Off-Road Vehicle Activities Program*, for more information on valuing donations. Examples of an eligible sponsor match include:

- ▶ Appropriations or cash
- ▶ Bonds
- ▶ Corrections labor
- ▶ Donations of land, labor, equipment, and/or materials
- ▶ Force account labor, equipment, and/or materials
- ▶ Grants – except those awarded by IAC.

For purposes of the project evaluation criteria, published under separate cover, project scores are weighted to reward projects that include a matching

share made up of *non-government (volunteer) contributions*.

Funding assistance will be provided only to increase capacity and supplement existing staff and may not be used to replace existing budget items. (WAC 286-13-080)

Grant assistance limits are shown in the following table.

<i>NOVA Program Grant Assistance Limits</i>		
	<i>M&O</i>	<i>Land Acquisition-Development-Planning</i>
<i>NHR</i>	\$50,000/yr. /proj. ^[1]	\$100,000/project
<i>NM</i>	\$50,000/yr. /proj. ^[1]	\$100,000/project
<i>ORV</i>	\$100,000/yr./proj. ^[2]	[no limit]

^[1] Limited to a maximum of \$100,000 and 2 years.

^[2] Limited to a maximum of \$200,000 and 2 years.

AMERICANS WITH DISABILITIES ACT

Sponsors must ensure that all facilities developed or renovated with IAC funds meet barrier-free standards when applicable. Several laws and codes prescribe minimum scoping and technical provisions to meet these standards (Americans With Disabilities Act, State Building Code, chapter 11: Accessibility, Rehabilitation Act of 1973, etc.). Program facilities not specifically addressed by these laws and codes are not exempt from barrier-free access. Sponsors must, to the highest degree reasonable, make project elements accessible. To this end, applicants should refer to IAC's "Universal, Barrier-Free Access" policy in Manual 4, *Development Projects: Policies*.

Plans, project applications, cost estimates, and construction drawings must reflect compliance with facility access and signing requirements.

RECORD RETAINAGE & AUDIT

All records relevant to IAC-funded projects must be on file with the applicant and are subject to audit by the State and inspection by IAC. If the auditor's inspection of the records discloses any charges incorrectly claimed and reimbursed, cash restitution of the incorrect amount(s) must be made to IAC.

CONVERSION OF USE

Except as may otherwise be provided in the Project Agreement, the conversion policies and procedures described in Manual #7, *Funded Projects: Policies*, apply in the NOVA program.

FEES & INCOME

User or other fees may be charged for areas and facilities acquired and/or developed with NOVA grants. See IAC Manuals 4 (*Development Projects: Policies*), 7 (*Funded Projects*), and WAC 286-13-110 for further information.

SEPA – NEPA & IAC'S ROLE

All state, federal, and local agencies applying for NOVA Program development and/or land acquisition funds must comply with the requirements of the State Environmental Policy Act, Chapter 43.21C RCW, or the National Environmental Policy Act (42 USC Sec. 4321 et seq.). This must be completed within 90 days of funding approval. Applicants for planning and maintenance projects are exempt from this requirement.

IAC is *not* a hearings agency before which land use issues will be considered

or decided. See IAC's *NOVA Plan* policies C-14, D14 ("Land Managers Choose Sites") for further information.

**EQUIPMENT
MANAGEMENT**

Sponsors must maintain a record of all capital equipment purchased under an IAC agreement. The sponsor, not IAC, always takes title. This inventory record begins with the list of any capital equipment purchases proposed in the project application. On IAC approval of the project, this listing is entered into the project agreement.

1. The sponsor's capital equipment records shall include:
 - a) A description of the equipment.
 - b) Manufacturer's serial number (model, stock, vehicle identification, or other unique number securely affixed to the equipment).
 - c) Source of the equipment, including grant or other agreement number.
 - d) Acquisition date and cost.
 - e) Percentage of sponsor participation in the cost of the project or program for which the equipment was acquired as specified in the Project Agreement.
 - f) Location, use and condition of the equipment and the date the information was reported.
 - g) Ultimate disposition data, including date of disposal and sale price (including the method used to determine current fair market value when a sponsor compensates IAC for its share) if sold.
2. The sponsor shall conduct a physical inventory of equipment and reconcile the results with previous records at least once every two years. Any differences in this physical inspection and those shown in the accounting records shall be investigated by the sponsor to determine the cause(s) of the difference. In connection with the inventory, the sponsor shall verify the existence, current use, and continued need for the equipment. *A detailed written report on the results of this inventory shall be provided to IAC by December of each odd numbered year.*
3. The sponsor shall institute a control system to ensure adequate safeguards to prevent loss, damage, or theft of the equipment. Any loss, damage or theft shall be investigated and fully documented. The sponsor shall promptly notify IAC of any such occurrence.
4. The sponsor shall establish adequate maintenance procedures to keep the equipment in good condition.
5. When the sponsor disposes of the capital equipment (see below), procedures that provide for fair competition, to the extent practicable, and result in the highest possible return, shall be established.

**EQUIPMENT
LIQUIDATION**

The sponsor shall use the capital equipment in the project or program for which it was acquired as long as needed, whether or not IAC support continues. After this time, the following shall apply:

1. *Sponsor wishes to retain the equipment.* When the sponsor no longer needs the equipment as provided above, it may be used for other activities as follows:

- a) Original cost of \$1,000 or less: The sponsor may use the capital equipment for other activities without reimbursement to IAC, or sell the capital equipment and return the proceeds to IAC.
 - b) Original cost of more than \$1,000: The sponsor may retain the capital equipment for other uses provided compensation is made to IAC. The amount of compensation shall be computed by applying the percentage of IAC participation in the cost of the original project, as specified in the project agreement, to the current fair market value of the equipment.
2. *Sponsor does not wish to retain the equipment.* If the sponsor has no need for equipment with further use value, the sponsor shall request disposition instructions from IAC.

If so instructed, the sponsor shall sell the equipment and reimburse IAC an amount computed by applying to the sales proceeds the percentage of IAC participation in the cost of the original project as recorded in the signed project agreement. The sponsor may retain from the IAC share an amount that accurately reflects any selling or handling expenses, so long as these expenses do not exceed \$100 or ten percent of the sale amount, whichever is less.

SECTION 4 – PROJECT SELECTION

NOVA PROJECT REVIEW & SELECTION PROCESS ***IAC Project Staff.*** Each applicant is assigned an IAC staff member. A list of grant managing staff members and their geographical assignments in the state is available from IAC (www.iac.wa.gov). The role of these managers is to provide assistance with the application process. The managers may visit the project site with the applicant to discuss details of the project.

NOVA Advisory Committee. The NOVA Advisory Committee (chapter 46.09.280) is composed of recreationists (NHR, NM, and ORV), and agency professionals. These individuals assist IAC by providing program recommendations regarding the technical merits of proposals, policies, and procedures. This Committee also sits as the evaluation team to rank grant requests. Membership is by appointment of IAC's Director.

Project Review. Approximately a month after the grant application due date, IAC staff sends key application material to the Advisory Committee. In response, members provide feedback regarding: • clarity of the proposal (its objectives, maps, etc.); • reasonability of the project's costs and benefits; • what, if any, changes should the applicant consider. In turn, in advance of project evaluations, IAC staff provides this feedback to each applicant. Applicants then have an opportunity to consult with IAC staff to determine what, if any, changes may be desirable to improve the project.

Project Evaluation. The purpose of evaluations is to provide a basis for funding recommendations. This is accomplished by assessing the merits of each project using the questions found in the appendices to this manual. Before the evaluation meeting, IAC sends evaluators information from the applications that includes project summaries and cost estimates. By appointment, applicants appear before the Advisory Committee and, over a period of about 25 minutes, orally respond to each evaluation question *and* any Advisory Committee queries.

Though applicants use PowerPoint to assist with their presentation, funding relies heavily on their oral responses to the evaluation questions. For help with responses, applicants should consult with their IAC grant manager. Letters and other documented expressions of project support will *not* be provided to the Advisory Committee/evaluation team. Applicants should, however, summarize this support when responding to the *Project Support* evaluation question (#5). Complete copies of all such support material must be provided to IAC. See Manual 5n, *Applications* for more information.

After individually scoring all projects using the criteria, the Advisory Committee meets to discuss the projects. At the conclusion of this open and publicly announced meeting, final ranking recommendations are decided (*Funding Process*, Page 8). (In order to ensure that all projects are treated equally, no project-related testimony from visitors is taken at this meeting.) IAC's Director uses the resulting ranked list of projects as the foundation for funding recommendations to IAC's board.

Evaluation Questions. The purpose of the evaluation questions is to

measure the:

- ▶ Need for the project
- ▶ Benefits of the project
- ▶ Technical merits of the project
- ▶ The degree to which the project meets the policies in the current *NOVA Plan*.

IAC Project Funding Meeting. IAC's board makes final project funding decisions in an open meeting where public testimony is encouraged. At this meeting, IAC staff summarizes all applications. Applicants are encouraged, but not required, to attend.

SECTION 5 — APPENDICES

DEFINITIONS

Program definitions are found in chapter 46.09 RCW. A few of those used more frequently are repeated here:

1. **"Nonhighway road"** means any road owned or managed by a public agency or any private road for which the owner has granted an easement for public use for which appropriations from the motor vehicle fund were not used for (a) original construction or reconstruction in the last twenty-five years; or (b) maintenance in the last four years.
2. **"Nonhighway road recreation facilities"** means recreational facilities that are adjacent to, or accessed by, a nonhighway road and intended primarily for nonhighway road recreational users.
3. **"Nonhighway road recreational user"** means a person whose purpose for consuming fuel on a nonhighway road or off-road is primarily for nonhighway road recreational purposes, including, but not limited to, hunting, fishing, camping, sightseeing, wildlife viewing, picnicking, driving for pleasure, kayaking/canoeing, and gathering berries, firewood, mushrooms, and other natural products.
4. **"Nonhighway vehicle"** means any motorized vehicle including an ORV when used for recreational purposes on nonhighway roads, trails, or a variety of other natural terrain.
Nonhighway vehicle does not include:
 - (a) Any vehicle designed primarily for travel on, over, or in the water;
 - (b) Snowmobiles or any military vehicles; or
 - (c) Any vehicle eligible for a motor vehicle fuel tax exemption or rebate under chapter 82.36 RCW while an exemption or rebate is claimed. This exemption includes but is not limited to farm, construction, and logging vehicles.
5. **"Nonmotorized recreational facilities"** means recreational trails and facilities that are adjacent to, or accessed by, a nonhighway road and intended primarily for nonmotorized recreational users.
6. **"Nonmotorized recreational user"** means a person whose purpose for consuming fuel on a nonhighway road or off-road is primarily for nonmotorized recreational purposes including, but not limited to, walking, hiking, backpacking, climbing, cross-country skiing, snowshoeing, mountain biking, horseback riding, and pack animal activities.
7. **"Off-road vehicle"** or **"ORV"** means any nonstreet licensed vehicle when used for recreational purposes on nonhighway roads, trails, or a variety of other natural terrain. Such vehicles include, but are not limited to, all-terrain vehicles, motorcycles, four-wheel drive vehicles, and dune buggies.
8. **"ORV recreation facilities"** include, but are not limited to, ORV trails, trailheads, campgrounds, ORV sports parks, and ORV use areas, designated for ORV use by the managing authority that are intended primarily for ORV recreational users.

**NOVA PROGRAM
ACRONYMS**

E&E	Education-Enforcement.
GMA	Growth Management Act.
IAC	Interagency Committee for Outdoor Recreation.
M&O	Maintenance and Operation.
NHR	Nonhighway Road; may refer to the funding category or the roadway defined on page 23.
NM	Nonmotorized; may refer to the IAC funding category, also known as the <i>Ira Spring Outdoor Recreation Facilities Funds</i> . See also page 23.
NOVA	Nonhighway and Off-Road Vehicle Activities.
ORV	Off-Road Vehicle. See also page 23.
PMO	Primary Management Objective.
PRISM	Project Information Management System, the publicly available software used to track all aspects of IAC's grant management (applications, project status, location mapping, contracts, etc.).
RCW	Revised Code of Washington.
USC	United States Code.
WAC	Washington Administrative Code.

**EVALUATION
QUESTIONS**

Nonhighway Road, Nonmotorized, and Off-Road Vehicle evaluation booklets are published under separate cover.